

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Jacob A. Sallmen
Debtor(s)

Bankruptcy Case No.: 19-11126-TPA
Per January 28, 2020 Proceeding
Chapter: 13
Docket No.: 27 - 16
Concil. Conf.: 6/9/20 at 01:30 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated December 12, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on 6/9/20 at 01:30 PM, in Bankruptcy Courtroom, U.S. Courthouse, 17 South Park Row, Erie, PA 16501.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☐ H. Additional Terms:

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Thomas P. Agresti, Judge
United States Bankruptcy Court

Dated: January 30, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Jacob A. Sallmen
 Debtor

Case No. 19-11126-TPA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1

User: jmar
 Form ID: 149

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 Total Noticed: 41

Date Rcvd: Jan 30, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 01, 2020.

db
 15157010 +Jacob A. Sallmen, 1048 Griswold Street, Sharon, PA 16146-2902
 15157009 +CBCS, PO Box 2724, Columbus, OH 43216-2724
 15157014 +Carbino Law, 3712 Highland Avenue, Drexel Hill, PA 19026-3103
 15157015 +Diagnostic Imaging Consultants, PO Box 371863, Pittsburgh, PA 15250-7863
 15157016 +First Choice, 2209 West State Street, New Castle, PA 16101-1138
 15157017 +First National Bank of Pennsylvania, 4140 East State Street, Hermitage, PA 16148-3401
 15167754 +JPMorgan Chase Bank Card, PO Box 15298, Wilmington, DE 19850-5298
 15157018 +JPMorgan Chase Bank, N.A., s/b/m/t Chase Bank USA, N.A.,
 c/o National Bankruptcy Services, LLC, P.O. Box 9013, Addison, Texas 75001-9013
 15168810 +Lending Club Corporation, 595 Market Street, San Francisco, CA 94105-2807
 15157021 +PCA Acquisition V, LLC c/o, Phillips & Cohen Associates, LTD, 1002 Justison Street,
 Wilmington DE 19801-5148
 15157022 +Phillips & Cohen Associates Ltd, 1002 Justison Street, Wilmington, DE 19801-5148
 15157023 +Quest Diagnostics Venture LLC, PO Box 740717, Cincinnati, OH 45274-0717
 15157026 +The Home Depot / Cbna, PO Box 6497, Sioux Falls, SD 57117-6497
 15157027 +Titan Legal Processing LLC, 5731 Mt. Pleasant Lane, #23377, Belleville, IL 62223-5121
 15157028 +Transworld Systems Inc., 300 Cedar Ridge Drive, Suite 307, Pittsburgh, PA 15205-1159
 15157030 +UPMC Health Services, PO Box 371472, Pittsburgh, PA 15250-7472
 15184724 UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123
 15157031 +UPMC Horizon, PO Box 382059, Pittsburgh, PA 15250-0001
 15185275 UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123
 15157032 +UPMC Physician Services, PO Box 382046, Pittsburgh, PA 15250-0001
 15157029 University of Pittsburgh Physicians, Quantum One, 2nd Floor, Suite 257,
 Pittsburgh, PA 15203
 15157033 +Weltman Weinberg & Reis Co., LPA, 436 7th Avenue, Suite 2500, Pittsburgh, PA 15219-1842

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 cr

15157006 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jan 31 2020 03:29:15
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15168778 +E-mail/Text: bkprpt@retrievalmasters.com Jan 31 2020 03:16:00
 American Medical Collection Agency, 4 Westchester Plaza, Suite 110,
 Elmsford, NY 10523-1615
 15157007 E-mail/Text: Bankruptcy.Processing@bluegreenvacations.com Jan 31 2020 03:15:07
 Bluegreen Vacations Unlimited Inc, 4960 Conference Way North, Suite 100,
 Boca Raton FL 33431
 15157008 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jan 31 2020 03:18:09
 Capital One Bank Usa NA, PO Box 30281, Salt Lake City, UT 84130-0281
 15157011 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jan 31 2020 03:18:45
 Capital One Retail Services, PO Box 71106, Charlotte, NC 28272-1106
 15157012 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jan 31 2020 03:15:34 Comenity Bank,
 PO Box 182273, Columbus, OH 43218-2273
 15157013 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jan 31 2020 03:15:34 Comenity Bank / Kay's,
 PO Box 182789, Columbus, OH 43218-2789
 15186579 +E-mail/Text: bdsupport@creditmanagementcompany.com Jan 31 2020 03:16:28
 Credit Management Company, 2121 Noblestown Road, PO Box 16346, Pittsburgh, PA 15242-0346
 15157019 E-mail/Text: JCAP_BNC_Notices@jcap.com Jan 31 2020 03:16:20 Jefferson Capital Systems LLC,
 PO Box 7999, Saint Cloud Mn 56302-9617
 15157022 +E-mail/PDF: MerrickBKNofifications@Resurgent.com Jan 31 2020 03:18:01 Merrick Bank,
 PO Box 1500, Draper, UT 84020-1500
 15175292 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jan 31 2020 03:18:49
 Portfolio Recovery Associates, 120 Corporate Boulevard, Suite 100, Norfolk, VA 23502
 15157020 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jan 31 2020 03:18:14
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
 15187608 +E-mail/Text: blegal@phfa.org Jan 31 2020 03:16:04 Pa Housing Finance Agency,
 2101 North Front Street, Harrisburg, PA 17110-1086
 15157024 +E-mail/Text: blegal@phfa.org Jan 31 2020 03:16:04 Pennsylvania Housing Finance Agency,
 211 North Front Street, Harrisburg, PA 17101-1406
 15157025 +E-mail/PDF: gecsedirecoverycorp.com Jan 31 2020 03:18:04 Synch / Lowes, PO Box 956005,
 Orlando, FL 32896-0001
 15157506 +E-mail/PDF: gecsedirecoverycorp.com Jan 31 2020 03:18:04 Synch / Walmart Dc,
 PO Box 965024, Orlando, FL 32896-5024
 15184268 +E-mail/PDF: gecsedirecoverycorp.com Jan 31 2020 03:17:32 Synchrony Bank,
 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15183577 +E-mail/PDF: gecsedirecoverycorp.com Jan 31 2020 03:17:32 Synchrony Bank,
 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Jan 31 2020 03:18:22 Verizon,
 by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457

TOTAL: 19

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Total Noticed: 41

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***** BYPASSED RECIPIENTS (continued) *****

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Pennsylvania Housing Finance Agency

TOTALS: 1, * 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 01, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 30, 2020 at the address(es) listed below:

Daniel P. Foster on behalf of Debtor Jacob A. Sallmen dan@mrdebtbuster.com,
clarissa@mrdebtbuster.com; fosterlaw@ecf.inforuptcy.com; anne@ecf.inforuptcy.com
James Warmbrodt on behalf of Creditor Pennsylvania Housing Finance Agency
bkgroup@kmlawgroup.com
Office of the United States Trustee ustpreregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteewdpa.com

TOTAL: 4